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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/759,510

01/15/2004

Jeffrey Rogers

B-4757NP 621648-9

7058

36716

7590

06/07/2006

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EXAMINER

NGUYEN, DUNG T

ART UNIT

PAPER NUMBER

2828

DATE MAILED: 06/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/759,510

Applicant(s)

ROGERS ET AL.

Examiner

Dung (Michael) T. Nguyen

Art Unit

2828

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7, 9-16, 18-28, 30-34 is/are pending in the application.
- 4a) Of the above claim(s) 8, 17 and 29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, 5, 10, 11, 13, 23-25, 27 and 30 is/are rejected.
- 7) ☒ Claim(s) 3, 6, 7, 9, 12, 14-16, 18-22, 26, 28 and 31-34 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>05/11/06, 07/10/07, 10/12/07, 11/26/07</u> | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election without traverse of Group II (claims 9, 18, and 30) in the reply filed on 03/27/06 is acknowledged.

### ***Claim Objections***

Claim 9 is objected to because of the following informalities: --to -- should be added in front of "said second reflector". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 4-5, 10-11, 13, 23-25, 27, and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Ball (5396506).

With respect to claims 1, 5, 13, 23, and 25, Ball shows in fig.2 an apparatus comprising:  
a plurality of optical fibers (310 & 312), each optical fiber having a first reflector (314 & 316) (Note that the Bragg grating is a reflector) disposed at a first end and having a laser active region comprising laser active material (col.7, lines 36-37);

one or more laser pump devices (300) for applying pump energy to the laser active region of each optical fiber of the plurality of optical fibers; and

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a combiner 326 (a combiner is also a coupler) coupled to a second end of each of the optical fibers, the combiner combining light directed from the plurality of optical fibers and producing an optical output,

wherein said combiner is configured to couple the light directed from each fiber so that the light from one fiber interacts with at least one other fiber to pull an intrinsic frequency distribution of the light of the at least one other fiber (As for the claimed functional limitation “to pull an intrinsic frequency distribution of the light of the at least one other fiber”, although Ball is silent about such limitation, it would have been obvious that the combiner of Ball would inherently possess the same function as claimed, absent evident to the contrary)

wherein the interactions between the lasers form a coherent optical output (it is understood that the laser light is coherent and hence the laser output from the combiner of Ball is also a coherent output).

With respect to claims 2 and 24, fig.2 and col.7, lines 32-37 disclose the fiber lasers 310 & 312 having the Er<sup>3</sup> doped silica cores and both being pumped with 980nm wavelength. Therefore, they must have equal phases.

With respect to claims 4 and 27, fig.2 discloses a second reflector 333 to receive the coherent output.

With respect to claims 10-11, fig.2 shows coupling together the plurality of fibers at a position proximate to the first end.

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With respect to claim 30, fig.2 shows the second reflective means 333 receives the coherent optical output by an optical element (fiber 329).

*Allowable Subject Matter*

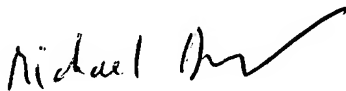
Claims 3, 6-7, 9, 12, 14-16, 18-22, 26, 28, and 31-34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Communication Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung (Michael) T Nguyen whose telephone number is (571) 272-1949. The examiner can normally be reached on 8:30 - 17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Min Harvey can be reached on (571) 272-1835. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-3329.



Michael Dung Nguyen

05/26/06